

LAWRENCE F. RUGGIERO

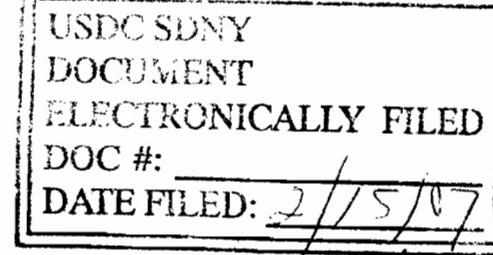
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FEB 14 2007

February 12, 2007

VIA FACSIMILE
& FIRST CLASS MAIL
Honorable Shira A. Scheindlin
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007
Fax No. 212/805-7920



Re: Commodity Futures Trading Commission v. Richmond Global Associates, LLC, et al.
Docket No. 05 Civ. 2181 (SAS)

Dear Judge Scheindlin,

I'm writing pursuant to my conversation with Chambers this afternoon to request permission to file an untimely response on behalf of Joseph Pappalardo to the Summary Judgement Motion pending in the above case. I was unable to comply with this Court's February 2, 2007 deadline for filing such a response because during the last three months I have had one surgery and have been undergoing medical treatments which have confined me to my home and which have almost completely eliminated my ability to work.

The response I had intended to make was simply to request that this Court delay its ruling on this pending Motion for Summary Judgement until after February 23, 2007, when Mr. Pappalardo will be sentenced by the Honorable Raymond J. Dearie on his guilty plea to the fraud underlying this Summary Judgement Motion. I would also request that this Court adopt Judge Dearie's findings with respect to the specific amount of loss and restitution for which Mr. Pappalardo is responsible.

Mr. Pappalardo's guilty plea was pursuant to an agreement with the government that Mr. Pappalardo was responsible for fraud losses between \$200,000 and \$400,000 in this case. At that sentencing, I will request that Judge Dearie make a specific finding regarding the amount of loss for which Mr. Pappalardo is responsible in light of the fact that the pending Summary Judgement Motion states the specific loss for which a co-defendant is responsible, but does not state the specific loss for which Mr. Pappalardo is responsible. I have spoken to opposing counsel, Ms.

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Karin N. Roth, and she consents to my making this request for permission to file an untimely response.

Very Truly Yours,

Lawrence F. Ruggiero

cc: Karin Roth, Esq.,
U.S. Commodity Futures Trading Commission
140 Broadway, New York NY 10005
Fax: 646/746-9940

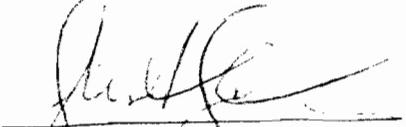
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Dated: February 14, 2007

Defendant's request to file an untimely response is granted. Defendant shall serve his response no later than February 28, 2007. Plaintiff's reply shall be due March 28, 2007.

So ORDERED:



Shira A. Scheindlin
U.S.D.J.